

IN THE
Supreme Court of the United States

OCTOBER TERM 1982

JAN 14 1983
ALEXANDER L. STEVAS
CLERK

DOUBLEDAY SPORTS, INC.,

Petitioner,

v.

EASTERN MICROWAVE, INC.,

Respondent.

On Petition for Writ of Certiorari to the United States
Court of Appeals for the Second Circuit

**OPPOSITION TO MOTIONS OF CBS INC. AND
MOTION PICTURE ASSOCIATION OF AMERICA, INC.
FOR LEAVE TO FILE BRIEFS AMICUS CURIAE
IN SUPPORT OF PETITION
FOR WRIT OF CERTIORARI**

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Dated: January 14, 1983

**Counsel of Record*

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Pursuant to Rule 36.3, Eastern Microwave, Inc. ("EMI"), Respondent in Opposition, opposes the motions of CBS Inc. ("CBS") and the Motion Picture Association of America, Inc. ("MPAA") for leave to file briefs *amicus curiae* supporting the petition for a writ of certiorari.

CBS and MPAA each claims a different economic interest from Petitioner's under the Copyright Act, and seeks to justify additional briefing on that ground. However, despite asserted differences in economic perspective, their essential factual and legal arguments for review do not, and under the Copyright Act could not, differ from those advanced by Petitioner Doubleday

Sports, Inc. Hence, CBS and MPAA's briefs are superfluous to the Court's consideration of the petition. The motions of CBS and MPAA therefore should be denied.

Respectfully submitted,

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CERTIFICATE OF SERVICE

In accordance with Rules 28.3 and 36.3 of the Rules of the Supreme Court of the United States, I hereby certify that three copies of the foregoing Opposition to Motions for Leave to File Briefs Amicus Curiae to the United States Court of Appeals for the Second Circuit were mailed via First Class, United States Mail, postage prepaid to the following counsel on this 14th day of January, 1983.

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